

From: Jennie Saxe/R3/USEPA/US
Sent: 4/12/2012 1:30:31 PM

To: Kathy Hodgkiss/R3/USEPA/US@EPA; Roy Seneca/R3/USEPA/US@EPA; Ron Borsellino/R3/USEPA/US@EPA; Dennis Carney/R3/USEPA/US@EPA; Cecil Rodrigues/R3/USEPA/US@EPA; KarenD Johnson/R3/USEPA/US@EPA; Michael Kulik/R3/USEPA/US@EPA

CC:
Subject: news item: DEP highlights 'deficiencies' in Cabot investigation report

FYI - Please share as appropriate. The story on-line also contains a link to a letter from DEP to Cabot (direct link to letter: <http://dl.dropbox.com/u/48182083/drilling/Cabot-%20Dimock%20well%20site%20evals%203-9-12.pdf>).

Jennie

<http://thetimes-tribune.com/news/dep-highlights-deficiencies-in-cabot-investigation-report-1.1298896#axzz1rqcofEUd>

DEP highlights 'deficiencies' in Cabot investigation report
By Laura Legere (Staff Writer) Published: April 12, 2012

The Department of Environmental Protection found "several deficiencies" including "definite evidence" of a spill or seep in a natural-gas driller's report that the company had said disproved a whistle-blower's claims of failures at its well sites.

In a letter sent March 9, state regulators said Cabot Oil & Gas Corp.'s investigation report into alleged problems at 13 of its earliest Susquehanna County well sites lacks information the department needs to assess the findings, contains "unclear, misleading or only partial" information for one well site, and fails to acknowledge evidence of past spills or leaks.

Read the DEP letter [HERE](#)

"This report appears to be more indicative of a site assessment into the alleged releases and is not adequately supported by the analytical results provided in the Final Report," DEP regional oil and gas program manager Jennifer Means wrote. A site assessment determines if contamination exists at a site and defines its extent and severity.

Cabot hired the environmental contractor URS Corp. to conduct the investigation after Scott Ely, then an employee of a Cabot drilling subsidiary, described hidden or ignored spills, leaking pits and shoddy practices to environmental regulators and Cabot officials in December 2009.

When Cabot submitted its report to DEP in December 2011, the company said the study "scientifically confirms that Mr. Ely was either mistaken or incorrect in every case" and that his allegations "lacked substance."

But in the letter sent last month, DEP noted the report showed "definite evidence of a release" - including low levels of toluene, a constituent of diesel fuel - at a well site where Mr. Ely alleged diesel spills beneath a drilling rig were covered with plastic.

The department highlighted the presence of what URS called "indicator parameters" that could be evidence of spills and seeps from natural gas operations at eight of the 11 well sites identified by Mr. Ely even though "throughout the report ... there is no admission that any releases occurred."

Other deficiencies the department identified in the Cabot report include:

- Information for a site where fluid was allegedly leaching from an abandoned drill pit "seems unclear, misleading, or only partially included in this report," the DEP wrote. The investigation of the site included a year of groundwater sampling, the agency noted. "Why would GW sampling be conducted if they contend no impacts were observed?"
- Cabot used "what appears to be random depth sampling" during soil boring to analyze for potential contamination when "a thorough characterization of each site should include soil sampling from the top one foot" below the base of each suspect drilling waste pit.
- Elevated arsenic that was detected in the soil at several sites was described in the report as naturally occurring and

equal to background levels, but samples were not collected to demonstrate the background concentrations at each site.

- Many stream and wetland samples showed elevated levels of aluminum and iron, three showed evidence of low pH and one detected the chemical known as DEHP at the state limit. The aluminum and iron were described in the report as naturally occurring, but DEP said a "thorough characterization" would include stream sediment sampling "if various metals and semi-volatile organic compounds are a concern as a result of the discharges."

- Boreholes for soil sampling at two well sites appear to have been located uphill from the closed pits they were meant to evaluate.

Cabot spokesman George Stark said Wednesday that "this dialogue between the Department and regulated companies is typical" and Cabot is working with DEP to address the comments.

"Please understand the process of investigation often involves numerous opportunities for comments and responses," he said. "We will be submitting information in a timely fashion so that the Department's review can proceed."

Mr. Ely, a Dimock resident who is suing Cabot for contamination, said the letter is evidence Cabot did not perform the investigation it promised to pursue.

He suggested Cabot pay for DEP to "properly test the locations, down slope, downstream."

"They don't lose anything by finding out the truth," he said. "They just need to rectify the problem."

Contact the writer: llegere@timeshamrock.com